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AUG 31 2005

OFFICE OF PETITIONS

In re Application of :
Humbert, et al. : DECISION ON PETITION
Application No. 09/890,203 :
Filed: October 5, 2001 :
Atty. Dkt. No.: 60174-021 :

This decision is in response to the petition under 37 CFR 1.137(b),
filed August 12, 2005.

The petition under 37 CFR 1.137(b) is GRANTED.


This application became abandoned July 22, 2004 for failure to timely
submit an appeal brief (or other proper reply) in response to the
Notice of Appeal submitted May 21, 2004. No petition for extension of
time was timely requested. Notice of Abandonment was mailed January
26, 2005.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1)
the required reply; (2) the petition fee as set forth in 37 CFR
1.17(m); (3) a statement that the entire delay in filing the required
reply from the due date of the reply until the filing of a grantable
petition was unintentional. The Commissioner may require additional
information where there is a question whether the delay was
unintentional; and (4) any terminal disclaimer (and fee as set forth
in 37 CFR 1.20(d)) required pursuant to paragraph (d) of this section.

The instant petition has been reviewed and found in compliance with
the aforementioned requirements. Accordingly, the failure to timely
submit a proper reply is deemed to have been unintentional.

This application file is being forwarded to Technology Center 3600 for
processing of the RCE submitted herewith.

Telephone inquiries related to this decision may be directed to the
undersigned at (571) 272-3205.


Alesia M. Brown
Petitions Attorney
Office of Petitions